

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**DELAWARE AMERICAN LIFE
INSURANCE COMPANY,**

Plaintiff,

v.

**CHRIS MASTOVICH-KING and
KIM BEAL,**

Defendants.,

No. 06-0972-DRH

ORDER

HERNDON, Chief Judge:

This matter comes before the Court for docket control. On September 24, 2007, the Court allowed Beal leave to file an amended cross claim (Doc. 34). On October 8, 2007, Beal filed the amended cross claim (Doc. 37). Thus, the Court **DENIES as moot** Mastovich-King's motion for summary judgment (Doc. 28).

IT IS SO ORDERED.

Signed this 9th day of October, 2007.

/s/ David R Herndon
Chief Judge
United States District Court